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10 *Attorneys for Debtors and Reorganized Debtors*

11
12 **UNITED STATES BANKRUPTCY COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

14
15 **In re:**

16 **PG&E CORPORATION,**

17 **- and -**

18 **PACIFIC GAS AND ELECTRIC**
19 **COMPANY,**

Case Nos. 19-30088 (DM)

(Lead Case) (Jointly Administered)

REORGANIZED DEBTORS' OPPOSITION
TO EX PARTE APPLICATION OF
CLAIMANT KOMIR, INC.

[Related to Dkt. No. 14253]

Hearing Scheduled January 9, 2024

Date: January 9, 2024

Time: 10:00 a.m. (Pacific Time)

Place: (Tele/Videoconference Only)
United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

- 20
21 □ Affects PG&E Corporation
22 □ Affects Pacific Gas and Electric Company
23 Affects both Debtors

24 * *ALL PAPERS SHALL BE FILED IN THE*
25 *LEAD CASE, NO. 19-30088 (DM)*

1 Reorganized Debtors PG&E Corporation and Pacific Gas and Electric Company hereby oppose
2 Komir's *Ex Parte* Application [Dkt. No. 14253] of January 3, 2024, regarding the hearing presently set
3 for January 9, 2024.

4 Komir's *Ex Parte* Application is a thinly veiled improper motion for reconsideration. The
5 Court issued a Docket Text Order December 26, 2023, as follows:

6 **DOCKET TEXT ORDER** (no separate order issued:) The court has decided to DENY the
7 Second Motion For Partial Summary Judgment (Dkt 14007) filed by Amir Shahmirza, et al,
8 and argued and submitted for decision on December 19, 2023. It rejects the position urged by
9 movants that the non-payment of real property taxes by PG&E is fatal to its easement claim
10 under Hansen v Sandridge Partners. The court is preparing an oral ruling to explain its
11 reasoning in detail that it will present on January, 9, 2024, at 10:00 AM and follow with a
12 written order denying the motion. (Montali, Dennis)

13 Komir fails to offer any procedural basis for such additional briefing. The Local Bankruptcy
14 Rules do not provide for the submission of supplementary material under Civil Local Rule 7-3. Civil
15 Local Rule 7-3 is not incorporated into the Bankruptcy Local Rules. *See* L.B.R. 1001-2(a) (list of
16 Civil Local Rules applicable to bankruptcy cases does not include Civil L.R. 7-3).

17 If Komir intends to file a motion for reconsideration, the *Ex Parte* Application does not address
18 the applicable standards for such extraordinary relief. *See, e.g.*, Fed. R. Bankr. P. 9023; *School Dist.*
19 *No. 1J, Multnomah County, Oregon v. Acands Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993).

20 Nevertheless, if the Court decides to allow the supplemental filing by Komir, the Reorganized
21 Debtors request that they be allowed to respond to the merits of such filing.

22 Dated: January 4, 2024

**KELLER BENVENUTTI KIM LLP
ROVENS LAMB LLP
LAW OFFICES OF JENNIFER L. DODGE, INC.**

23 By: /s/ Steven A. Lamb
24 Steven A. Lamb
25 Attorneys for Debtors and Reorganized Debtors